

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ALLAN THOMAS ROCKWELL,) Case No.: 1:22-cv-00392-JLT-EPG
Plaintiff,)
v.) **ORDER ADOPTING IN FULL THE FINDINGS
AND RECOMMENDATIONS
RECOMMENDING THAT CLAIMS BROUGHT
ON BEHALF OF MINOR PLAINTIFF G.A.R.
BE DISMISSED**
TUOLUMNE COUNTY, et al.,)
Defendants.) (Doc. 55.)

)

Allan Thomas Rockwell, proceeding *pro se*, initiated this action against Tuolumne County, Michael Choate, Denise Choate, and Melissa Brouhard on April 4, 2022. (Doc. 1.) Plaintiff filed a First Amended Complaint indicating that the action is brought by Plaintiff and by G.A.R., a minor. (Doc. 5.) The Court issued an order for Plaintiff to show cause why G.A.R.’s claims should not be dismissed without prejudice because Plaintiff has no authority to proceed on his behalf. (Doc. 8.) In findings and recommendations issued July 29, 2022, the assigned magistrate judge found that Plaintiff, a non-attorney proceeding *pro se*, does not have the authority to appear on behalf of others and recommended that all claims brought on behalf of minor G.A.R. be dismissed without prejudice. (Doc. 55.) The Court granted Plaintiff fourteen days to object to the findings and recommendations. (*Id.* at 3.) In addition, the Court informed Plaintiff that the “failure to file objections within the specified time may result in the waiver of rights on appeal.” (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834,

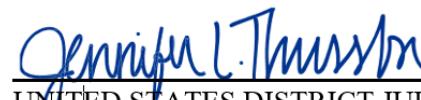
1 838-39 (9th Cir. 2014); *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991).) To date, Plaintiff has
2 not filed objections and the time to do so has expired.

3 According to 28 U.S.C. § 636(b)(1)(C), the Court conducted a *de novo* review of this case.
4 Having carefully reviewed the entire file, the Court concludes the findings and recommendations are
5 supported by the record and proper analysis. Based upon the foregoing, the Court **ORDERS**:

- 6 1. The findings and recommendations issued on July 29, 2022 (Doc. 55) are **ADOPTED**
7 in full.
- 8 2. All claims brought on behalf of G.A.R. are **DISMISSED** without prejudice.

9
10 IT IS SO ORDERED.

11 Dated: October 12, 2022


UNITED STATES DISTRICT JUDGE